IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

RP.No. 192 of 2007(A)

AGAINST THE JUDGEMENT IN WPC.32761/2005 Dated 27/06/2006

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REVIEW PETITIONER:

SAINU SHAHJEHAN, W/O.SHAHJEHAN,
AGED 30 YEARS, RESIDING AT PATHALIL
PURAYIDATHIL, KARIKKALLUMUZHI KARA,
ERUMELY.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

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1. P.S. ANIL, PAZHOOR HOUSE,
PALAMPARA, KANJIRAPPALLY.

2. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM.

3. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, KOTTAYAM.

4. M.S. VARKEY, MANNAMPLAKKAL HOUSE,
CHIRRAKADAVU, KANJIRAPPALLY.

BY FOR R1, ADV. SRI.I.DINESH MENON
FOR R2, GOVERNMENT PLEADER, SMT.T.B.REMANI

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J

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R.P.No. 192 of 2007
in W.P.(C) No.32761/2005

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Dated this the 29th day of May, 2007

O R D E R

A copy of this review petition is served on the counsel for the respondents and endorsement is on record to that effect.

By Ext.P1 filed along with the writ petition, there was a decision by the competent Regional Transport Authority for transfer of permit. As per the judgment sought to be reviewed, I had only directed that 'if the aforesaid Ext.P1 is still left to be complied with, appropriate action shall follow'. This obviously means that it can be given effect to, provided it sustains and continues to be enforceable in terms of the law. The arguments of the review petitioner that Ext.P1 cannot be enforced because the current records of the vehicle were not produced in time and that therefore, the transfer order had worked itself out, is a matter for the competent authority to look into while considering the enforcement of Ext.P1. If the review petitioner has any further

contention, including as urged before me, namely, that he had never signed the application leading to Ext.P1, it is for him to agitate it before the appropriate forum. The mere issuance of the judgment in the nature of the one sought to be reviewed would not be an embargo to it, on the statutory authority taking a decision. Review petition is hence dismissed without prejudice to what is stated above.

THOTTATHIL B.RADHAKRISHNAN
Judge

ms